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August 15, 2001

William Szczepaniak
372 South Highland Avenue, #203
Pittsburgh, PA 15206

RECEIVED

AUG 22 2001

PB & G
IP DEPT.

Re: U.S. Patent Application Entitled "RENILLA RENIFORMIS FLUORESCENT PROTEINS, NUCLEIC ACIDS ENCODING THE FLUORESCENT PROTEINS AND THE USE THEREOF IN DIAGNOSTICS, HIGH THROUGHPUT SCREENING AND NOVELTY ITEMS"; Serial No. 09/808,898; Filed March 15, 2001; Our Docket Number LUME 48487

Dear Mr. Szczepaniak:

We filed the above captioned application (copy enclosed) with the U. S. Patent and Trademark Office on March 15, 2001. This application claims benefit of priority of U.S. Provisional Application Serial No. 60/189,691 filed March 15, 2000. Please review the application as soon as possible. If you have any questions or any errors are found, please let us know.

We also enclose a Declaration for Patent Application at this time for your signature. We have enclosed a stamped, pre-addressed envelope for use in returning the executed documents to us.

The deadline for filing this Declaration in the U. S. Patent and Trademark Office is September 14, 2001. Please execute the documents and return them to us no later than **September 10, 2001**.

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William Szczepaniak
August 15, 2001 - Page 2

Please note that this application corresponds to PCT Application Serial No. PCT/US01/08277. Dr. Stephanie Seidman attempted to contact you regarding the PCT Application, but you apparently did not wish to join in the application. If you do not wish to join in this corresponding U. S. Application, please initial below and return these materials to me in the enclosed envelope.

If you have any questions, please feel free to call me at (412) 263-4366.

Very truly yours,

PIETRAGALLO, BOSICK & GORDON

A handwritten signature in cursive script, appearing to read "Robert S. Klemz", written in dark ink.

Robert S. Klemz

Enclosures

_____ I do not wish to join in the U. S. Patent Application Serial No. 09/808,898.

DACS



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/808,898
	Filing Date	March 15, 2001
	First Named Inventor	Bruce Bryan
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number LUME 48487

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (Two Month) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Petition Under 37 CFR 1.47 - Declaration (3) - power of Attorney (3) - Copy of Notice To File Missing Parts - Post Card - FEDEX Tracking Info. - Ltr. To W. Szczepaniak - Verified Statement Concerning Sequence Listing
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert S. Klemz Pietragallo, Bosick & Gordon
Signature	
Date	September 12, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 9/12/01	
Typed or printed name	Robert S. Klemz
Signature	
Date	September 12, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 520.00

Complete if Known

Application Number	09/808,898
Filing Date	March 15, 2001
First Named Inventor	Bruce Bryan
Examiner Name	
Group Art Unit	
Attorney Docket No.	LUME 48487

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 500859

Deposit Account Name Pietragallo

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity (\$)	Fee Code	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	390
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 520

SUBMITTED BY

Name (Print/Type)	Robert S. Klemz	Registration No. (Attorney/Agent)	46,305	Telephone	412-263-4366
Signature		Date	9/12/01		

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of Bruce Bryan, et al.

Group Art Unit: Unassigned

Serial No.: 09/808,898

Examiner: Unassigned

Filed: March 15, 2001

Attorney Docket No. LUME 48487

Title: RENILLA RENIFORMIS FLUORESCENT PROTEINS, NUCLEIC ACIDS
ENCODING THE FLUORESCENT PROTEINS AND THE USE THEREOF IN
DIAGNOSTICS, HIGH THROUGHPUT SCREENING AND NOVELTY ITEMS

RESPONSE TO NOTICE TO FILE MISSING PARTS, PETITION FOR TWO-MONTH
EXTENSION OF TIME AND PETITION UNDER 37 CFR 1.47

September 10, 2001

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

OFFICE OF PETITIONS

This is filed in response to the Notice to File Missing Parts of Nonprovisional Application mailed May 14, 2001, setting a period of response of two months set to expire on July 14, 2001. Applicants hereby petitions for a two-month extension of time under 37 CFR 1.136(a), accompanied by the extension fee under 37 CFR 1.17(a), bringing the period for response to September 14, 2001.

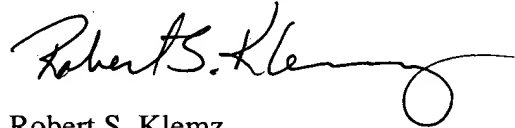
The Notice to File Missing Parts indicated that the oath or declaration is missing in the present case. Applicants hereby submit properly signed declarations in accordance with 37 CFR 1.63 for Mr. Bruce Bryan and Mr. Christopher Szent-Gyorgyi, both declarations attached hereto.

Applicants also submit herewith a petition under 37 CFR 1.47 for Mr. Bryan and Mr. Szent-Gyorgyi to make the present application on behalf of themselves and the third joint inventor, Mr. William Szczepaniak, who refuses to join in the present application. The petition under 37 CFR 1.47, along with proof of the pertinent facts and the proper fee under 37 CFR 1.17(h) are attached hereto.

The Notice to File Missing Parts also indicated that the application does not contain a statement as required pursuant to 37 CFR 1.821(f). Enclosed is a Verified Statement Concerning Sequence Listing signed by Stephanie Seidman, as required by 37 CFR 1.821(f).

Please charge any fees, including the fees pursuant to 37 CFR 1.16(e) for late filing fee or oath or declaration surcharge, the two-month extension of time fee pursuant to 37 CFR 1.17(a) and the petition fee pursuant to 37 CFR 1.17(h), and credit any overpayment associated with this communication to Deposit Account 500859. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Robert S. Klemz
Registration No. 46,305
One Oxford Centre, 38th Floor
301 Grant Street
Pittsburgh, PA 15219

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